

Civil Enforcement Case Report

Civil Enforcement Case

Basic Information

Case Number: 04-2017-4510

Case Name: CARGILL, INC.

Case Category: Administrative - Formal

Case Status (as of 01/16/2018): Closed

Case Lead: EPA

Court Docket Number: CWA-04-2017-4510(b)

DOJ Docket Number: --

Relief Sought: --

Enforcement Outcome: Final Order With Penalty

Headquarters Division: --

Branch: --

Result of Voluntary Disclosure? No

Multi-media Case? --

Enforcement Type: CWA 309G2B AO For Class II
Penalties

Violations: Violation Of A Permit Requirement,
Violation Of Req. To Monitor/Maintain Records,
Violations Of Reporting Requirements

Penalties – Case Level

Total Federal Penalty Assessed or Agreed To: \$75,500

Total State/Local Penalty Assessed: \$0

Total SEP Cost: \$0

Total Compliance Action Cost: \$0

Total Cost Recovery: \$0

Case Summary

12/5/17 - CONSENT AGREEMENT AND FINAL ORDER ISSUED, ASSESSING A PENALTY OF \$75,500, DUE WITHIN 30 DAYS.BASED ON A CSWEI AND DUE TO THE HYDROLOGY OF THE FACILITY AND HISTORIC RAINFALL DATA, EPA HAS DETERMINED THAT FROM SEPT 2012 TO MARCH 2016, STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITIES DISCHARGED TO LOCKS CREEK, A TRIBUTARY OF THE CAPE FEAR RIVER. THE CAPE FEAR RIVER IS A TRADITIONALLY NAVIGABLE WATER OF THE U.S. THIS DISCHARGE OCCURRED WHILE THE FACILITY WAS IN VIOLATION OF HTE PERMIT. THEREFORE, RESPONDENT HAS VIOLATED CWA 301.

Laws and Sections

Law	Sections	Programs
CWA	301/402	NPDES Permit Violations

Citations

Title	Part	Section
No data records returned		

Facilities

FRS Number	Facility Name	Address	City Name	State	Zip	SIC Codes	NAIC Codes
110009849968	FAYETTEVILLE PLANT	1579 UNDERWOOD RD	FAYETTEVILLE	NC	28312	2075	236220

Defendants

Defendants and Settlements	In Complaint	In Settlement
CARGILL, INC.	Y	Y

Case Milestones

Event	Actual Date
Complaint Filed/Proposed Order	12/05/2017
Final Order Issued	12/05/2017
Enforcement Action Data Entered	12/18/2017
Enforcement Action Closed	01/16/2018
NPDES Closed	01/16/2018

Related Case Documents

Document	Facility Name	Publish Date	EPA Program
No data records returned			

Pollutants

Pollutant Name	Chemical Abstract Number
No data records returned	

Related Activities

Description	Actual Date
No data records returned	

Final Order 1

Final Order Type: Administrative Penalty Order With or Without Injunctive Relief

Final Order Name: CARGILL, INC.

Linked Facilities (FRS ID): 110009849968

Final Order Lodged Date: --

Final Order Entered Date: 12/05/2017

Enforcement Action Closed Date: 01/16/2018

Actual Termination Date: --

Penalties/SEPs/Cost Recovery Amounts

Federal Penalty Assessed or Agreed To: \$75,500

State/Local Penalty Assessed: --

SEP Value: --

Compliance Action Cost: \$0

Federal Cost Recovery Awarded: \$0

Complying Actions

Complying Action ID	Category	Description
No data records returned		

Supplemental Environmental Projects

SEP ID	Category	SEP Value	Description
No data records returned			

SEP ID	Category	SEP Value	Description
No data records returned			

Pollutant Reductions

Resulting From	Pollutant	Annual Amount	Units	Media Affected
No data records returned				